

REMARKS

Claims 1-38 are pending in the present application. Claims 39-57 were previously canceled, and claims 1-38 have been amended herein. No new matter has been added.

Applicant respectfully requests reconsideration of the claims in view of the following remarks.

Claims 1-38 have been rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory matter. Applicant respectfully traverses this rejection. Independent claims 1, 4 and 34 have been amended to recite, “A transceiver for a wireless communications system comprising a transmitter configured to generate a preamble.” Dependent claims 2, 3, 5-33 and 35-38 have been amended to recite, “The transceiver.” Applicant submits that transceivers and transmitters are articles of manufacture and are, therefore, includable as statutory subject matter. Applicant respectfully submits that claims 1-38, as amended, are in compliance with 35 U.S.C. § 101.

Claims 1-3 and 29 have been rejected under 35 U.S.C. § 102(c) as being anticipated by U.S. Patent No. 7,054,296 to Sorrells, et al. (hereinafter “Sorrells”); and claims 30-33 and 38 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Sorrells in view of U.S. Patent Publication No. 2003/0007190 to Kaku, et al. (hereinafter “Kaku”). Applicant respectfully traverses these rejections.

Claim 1, as amended, recites a “preamble comprising a sequence wherein the sequence comprises a concatenation of a first set of sub-sequences, with each sub-sequence containing more than one zero.” The Office Action asserts that Sorrells anticipates this limitation by noting that “long preamble SYNC of 01101100, hence having more than one zeroes and short preamble SYNC of 00011010, also having more than one zeroes.” (Office Action, page 3). Sorrells, however, does not teach that the values “01101100” and “00011010” are a part of the preamble,

rather, these numbers are representative of a “scrambler seed bit pattern used to initialize the scrambler.” (Sorrells, column 119, lines 49-54).

Claim 1 has been further amended to recite “wherein each sub-sequence differs depending on its position in the preamble.” Sorrells is silent on this matter and does not teach or suggest this limitation. Applicant, therefore, respectfully submits that claim 1 is allowable over the prior art of record.

Claims 2, 3, 9-33 and 35-38 depend from claim 1 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Applicant further submits that claims 4-8 and 34 which were not subject to rejection under 35 U.S.C. § 102 or 35 U.S.C. § 103 are allowable and in condition for allowance.

Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Ronald O. Neerings, Applicant's Attorney, at 972-917-5299 so that such issues may be resolved as expeditiously as possible. The Commissioner is hereby authorized to charge all fees due, or credit any overpayment, Deposit Account No. 20-0668.

Respectfully submitted,

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Date

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